

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
Mastercraft Industries, Inc.)	FINDING OF VIOLATION
Rice Lake, Wisconsin)	
)	EPA-5-01-WI-16
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	

FINDING OF VIOLATION

The United States Environmental Protection Agency finds that Mastercraft Industries, Inc., (Mastercraft) located at 120 West Allen Street, Rice Lake, Wisconsin, is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Mastercraft is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Wood Furniture Manufacturing Operations at 40 C.F.R. part 63, Subpart JJ as follows:

Regulatory Authority

1. On December 7, 1995, in accordance with Section 112(d) of the Act, U.S. EPA promulgated the National Emission Standards for Wood Furniture Manufacturing Operations, 40 C.F.R. Part 63, Subpart JJ, §§ 63.800 - 63.808. 60 Fed. Reg. 62936.
2. On December 28, 1998, the U.S. EPA promulgated revisions to 40 C.F.R. Sections 63.800-63.808. 63 Fed. Reg. 71380.
3. 40 C.F.R. Part 63, Subpart JJ applies to each facility that is engaged, either in part or in whole, in the manufacturing of wood furniture or wood furniture components and that is located at a plant that is a major source of hazardous air pollutants (HAPs).
4. A "major source" is defined as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the

aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity. 40 C.F.R. § 63.2.

5. The compliance date for existing affected sources that emit less than 50 tons per year of HAP in 1996 is December 7, 1998. 40 C.F.R. §63.800 (e).
6. 40 C.F.R. Part 63, Subpart A ("General Provisions") applies to owners or operators who are subject to subsequent subparts of 40 C.F.R. Part 63 except when otherwise specified in a particular Subpart or in a relevant standard. 40 C.F.R. § 63.1(a)(4).
7. Recordkeeping and reporting requirements of 40 C.F.R. § 63.10 apply to owners or operators of affected sources who are subject to the provisions of 40 C.F.R. Part 63, Subpart JJ. 40 C.F.R. § 63.10(a).
8. 40 C.F.R. § 63.10(d)(1) requires the owner or operator of an affected source subject to reporting requirements to submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).
9. 40 C.F.R. § 63.802(a)(2)(ii) requires that each owner or operator of an existing affected source subject to 40 C.F.R. Part 63, Subpart JJ to limit VHAP emissions from contact adhesives (including foam adhesives used in products that do not meet the standards in 40 C.F.R. § 63.802(a)(2)(i), but excluding aerosol adhesives and excluding contact adhesives applied to nonporous substrates) to 1.0 kg VHAP/kg solids (1.0 lb VHAP/lb solids), as applied.
10. 40 C.F.R. § 63.803(a) requires each owner or operator of an affected source to prepare and maintain a written work practice implementation plan that defines environmentally desirable work practices for each wood furniture manufacturing operation and addresses each of the work practice standards required under 40 C.F.R. § 63.803(b) through (l). The plan must be developed no more than 60 days after the compliance date.
11. 40 C.F.R. § 63.807(b) requires the owner or operator of an affected source to submit the compliance status

report required by 40 C.F.R. § 63.9(h) no later than 60 days after the compliance date.

12. 40 C.F.R. § 63.807(c) requires the owner or operator of an affected source that is demonstrating compliance in accordance with 40 C.F.R. § 63.804(g)(1)-(3), (5), (7), and (8) to submit a report concerning the previous 6 months of wood manufacturing operations.
13. 40 C.F.R. § 63.807(c)(1) requires the first report be submitted 30 calendar days after the end of first 6 month period following the compliance date.
14. 40 C.F.R. § 63.807(c)(2) requires subsequent reports to be submitted 30 calendar days after the end of each 6-month period following the first report.
15. 40 C.F.R. § 63.807(c)(3) specifies the information that must be included in each semiannual report.

Factual Background

16. Mastercraft owns and operates a wood furniture manufacturing facility located at 120 West Allen Street, Rice Lake, Wisconsin which commenced construction before December 6, 1994.
17. On December 6, 1994, the Mastercraft facility had the following processes at the plant: adhesive application processes (F01 and F02), prestain booth (P01), stain booth (P02), sealer booth (P03), topcoat booth (P04), rework booth (P05), shutter paint booths 1 and 2 (P06 and P07).
18. The Mastercraft facility is a major source of HAPs, and therefore is an existing affected source subject to the National Emission Standards for Wood Furniture Manufacturing Operations, 40 C.F.R. Part 63, Subpart JJ, §§ 63.800-63.808.
19. On June 14, 2000, U.S. EPA sent Mastercraft an information request pursuant to Section 114 of the Clean Air Act, 42 U.S.C. § 7114.
20. On July 19, August 14, November 29, December 8, 2000, and January 22, February 5, 2001, Mastercraft submitted information in response to the Section 114 letter.

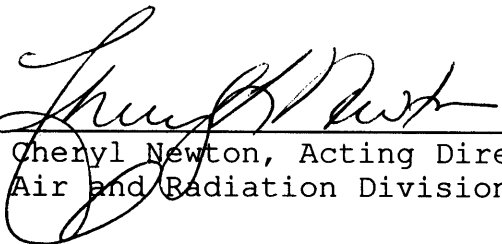
21. Prior to July 19, 2000, Mastercraft used a solvent based contact adhesive, product # SC -1107, and applied it on to porous substrates at its facility adhesive application processes (F01 and F02).
22. From December 7, 1998 through July 19, 2000, Mastercraft's contact adhesive product # SC-1107 had a VHAP content of greater than 1.0 kg VHAP/kg solids (1.0 lb VHAP/lb solids), as applied.
23. Mastercraft's work practice implementation plan does not include work practice standards as required by 40 C.F.R. § 63.803(b) through (d).
24. Mastercraft did not submit a compliance status report required under 40 C.F.R. § 63.9(h) within 60 days after the compliance date.
25. On December 8, 2000, Mastercraft submitted its first continuous compliance status report for reporting period for December 1, 1998 through June 1, 1999.
26. On December 8, 2000, Mastercraft submitted its subsequent continuous compliance status reports for reporting periods June 1 through December 1, 1999; December 1, 1999 through June 1, 2000; and June 1 through December 1, 2000.

Violations

27. From December 7, 1998 through July 19, 2000, Mastercraft failed to limit VHAP emissions from its contact adhesive (product # SC-1107) to 1.0 kg VHAP/kg solids (1.0 lb VHAP/lb solids), as applied, in a violation of 40 C.F.R. § 63.802(a)(2)(ii).
28. Mastercraft failed to prepare and maintain a written work practice implementation plan that addresses work practice standards specified at 40 C.F.R. § 63.803(b) through (d) within 60 days after the compliance deadline of December 7, 1998, in a violation of 40 C.F.R. § 63.803(a).
29. Mastercraft failed to submit a compliance status report within 60 days after the compliance deadline of December 7, 1998, in a violation of § 63.9(h) and § 63.807(b).

30. Mastercraft failed to submit the first continuous compliance status report 30 calendar days after the end of the first 6-month period following the compliance deadline of December 7, 1998, in a violation of 40 C.F.R. §§ 63.10(d) and 63.807(c)(1) and (3).
31. Mastercraft failed to submit subsequent continuous compliance status reports 30 calendar days after the end of each 6-month period following the first report, in a violation of 40 C.F.R. §§ 63.10(d) and 63.807(c)(2) and (3).

5/4/01
Date


Cheryl Newton, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA-5-01-WI-16, by Certified Mail, Return Receipt Requested, to:

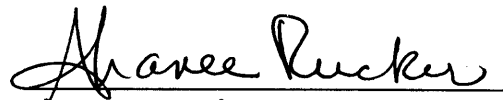
James V. Hodshire, Registered Agent
Mastercraft Industries, Inc.
120 West Allen Street
Rice Lake, Wisconsin 54868

I also certify that I sent copies of the Finding of Violation by first class mail to:

Bill Baumann, Chief
Bureau of Air Management
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707

Mark Stokstad, Regional Leader
Northern Region
107 Sutliff Avenue
Rhinelander, Wisconsin 54501

on the 8 day of May, 2001.


Shanee Rucker, Secretary
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 70993400 000095811974